Previous references.
Court 1 of 84

V
1903-04
(Court)

File No. 144 of
Serial Nos. 03 / 2

Later references.
cls 166-14
" Dep. 15-8-36.
" 75-37-1
cls 296-41 (1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 2

Part B. for

SUBJECT.

Issue of processes and execution of the decree against the members of H. H. Highness's family.

Table of Contents

V. Sl No 1. D.O 7-7-03 from Mr H Kantharaj Urs Registrar to be exempted from personal appearance in Court as per provision of the section 641 of C P Code

V Sl No 2 - No 244 of 25-7-03 To the Comptroller Mysore Gazette Notifying the exemption of Mr Kantharaj Urs Sl Col J Devaraj Urs & Mr Lakshmi Kantharaj Urs from personal appearance in the Civil Courts of the Mysore State.

V Sl No 3 Copy of Rep Clerk of Court. No 245 of 25-7-03

Submitted to the Dewan.

A

In the accompanying letter of 6th July last, Mr. Kantharaj Urs requests that under Section 641 of the Civil Procedure Code, he may be exempted from personal appearance in Civil Courts. He now asks for this exemption as he has been summoned to appear before the Sub-Judge's Court at Mysore as the 2nd defendant in a certain suit fixed for hearing on the 23rd instant.

B

In the accompanying file, there are two notifications in which exemptions have been given to the relations of His Highness the Maharaja. The first notification No.60 dated 8th June 1872 gives in List I the names of persons exempted from the jurisdiction of the Civil Courts and in List II of certain others exempted from personal service of process and from attendance at Civil Courts.

List I.

1. First Rani of the late Maharaja Krishnaraja Wudayur.
2. Second Rani -do- -do-
3. First Bokkasa Totti Bangara lady of Krishnaraja Wudayur.
4. Second -do- -do-
5. Kaman Totti Bangara lady of Krishnaraja Wudayur.
6. Chamaraja Wudayur's mother.

List II

1. Krishnammaiya, a lady of the late Maharaja Krishnaraja Wudayur.

2. Kempa Devammaiya, -do-

3. Hatti Ammaiya, an illegitimate aunt of Krishnaraja Wudayur.

4. Madanavilasa Totti Nanja Raj Bahadur, illegitimate grandson of Krishnaraja Wudayur, and his wife.

5. Deva Parthiva Raj Bahadur, illegitimate grandson of Krishnaraja Wudayur, his wife and two step mothers.

6. Kempa Lakshammaiya, an illegitimate daughter-in-law of Krishnaraja Wudayur.

This notification was superseded by the late Maharaja's notification No. 346 dated 27th March 1884 which is on the same lines, as the old Chief Commissioner's notification except that certain new names as below are substituted for the old ones.

List I

1. Gopalraj Urs)
2. Subramanyaraj Urs) Brothers of His Highness Chamaraja Wudayur.
3. Bokkas Totti, Bangar lady of the late Maharaja Krishnaraja Wudayur.

List II

1. Madanavilastotti, Nanjaraj Bahadur, illegitimate grandson of the late Maharaja Krishnaraja Wudayur and his wife and sons.

2. Devaparthivaraj Bahadur, illegitimate grandson of the late Maharaja Krishnaraja Wudayur and his wife and two step-mothers and sons.

3. Nanjammani, widow of Kempinaputtasamy, illegitimate grandson of Krishnaraja Wudayur.

4. Kempa Lakshammaiya, an illegitimate daughter-in-law of Krishnaraja Wudayur.

5. Sivaramraj Bahadur, son of Devaraj Bahadur, illegitimate grandson of Krishnaraja Wudayur.

D

Mr. Plumer in a D.O. dated 4th April 1884 stated that the only exemption provided for by the Civil Procedure Code was the exemption of certain persons from personal appearance in Court under Section 641, and that there was no provision for exemption from jurisdiction of all Civil Courts or from personal service of process.

E

Sir K. Sheshadri Iyer in his reply dated 15th June 1885 said that the notification of 1884 merely took the place of the old notification which had been in force for 12 years, and that as it was issued in exercise of the Maharaja's legislative authority it must be regarded as binding on the Civil Courts.

Mr. Kantharaj Urs' request is limited to exemption from personal appearance in Civil Courts under Section 641. He asks for no other exemptions. As the case in which he is required to appear is fixed for the 23rd instant, and as there have been already two adjournments, he requests that early orders may be passed.

Section 641. The Government of Mysore Government may exempt certain persons from personal appearance. may by notification in the Official Gazette, exempt from personal appearance in Court any person whose rank, in the opinion of such Government

entitles him to the privilege of exemption, and may, by like notification, withdraw such privilege.

List of names of persons exempted to be kept in Courts.

The names and residences of the persons so exempted shall from time to time be forwarded to the Chief Court by the Government of Mysore, and a list of such persons shall be kept in such Court, and a list of such persons as reside within the local limits of the jurisdiction of each Court subordinate to the Chief Court shall be kept in such subordinate Courts.

Costs of Commission rendered necessary by claiming privilege.

When any person so exempted claims the privilege of such exemption, and it is consequently necessary to examine him by commission, he shall pay the costs of such commission, unless the party requiring his evidence pays such costs.

15th July 1903.

H.V. *

Submitted with this request.

The three sons-in-law may be exempted from personal appearance in Courts and sanction might graciously accorded to furnish a notification accordingly

19.VII.03

Record of Case submitted for the orders of His Highness the Maharaja.

785

Subject.

D. O. from Mr. M. Kantaraj urs requesting that he may be exempted from personal appearance in Civil Courts

Order.

I agree with the Dewan

K R M

23/7/03

890

Please publish above - move under Mr. K. R. urs

24. VII. 03

Draft please.

25/7/3

Issued.

24.7.'03

Mysore
6th Aug/03

My dear Mr Ramachandra

I have been summoned
to appear before the Sub-Judge's
Court here, on the 2nd Sept.
in a certain suit on
the 23rd inst. The suit
has arisen out of a transaction
for which I am to be thankful
to Mr. V. N. Narasimha Iyengar
the Palace Contractor.

shall let you know the
particulars when we meet
next, if you are coming down
at all, & express wishes by

I want you to be good
enough to inform the
Bench of this & request
him to let me exempt
from personal appearance
in the Court as per the
provisions of Sec 641 of the
Civil Pro. Code. The Code
Bench since thought of
putting the names of all the three
sons-in-law to execute

personal attendance in civil courts. But, such it was not given effect to.

The date is pretty near & as there have been already two adjts in the case, the judge is not likely to give another adjt. So, I request that early action be taken regarding this matter.

May I know if the lawyer is likely to come down here at all in the near future. There are

several matters both personal
& official which I have to
place before him for consider
Hoping you are keeping
well

Yours very
Nkrumah

P.S.

Has anything been
done in the question of a
water-supply project for
my mansion?
Ley

2- 1682.

Notification

Under Section 641 of the Civil Procedure Code, the Govt of His Highness the Maharaja of Mysore are pleased to exempt the following relations of His Highness the Maharaja from personal appearance in the Civil Courts of the Mysore State: —

1. Mr. M. Kantaraje Ars.
2. Lt. Col. J. Desaraje Ars.
3. Mr. Lakshmikantaraje Ars.

Brothers-in-law of H.H. the Maharaja.

By Order

Secretary

To The Compiler, Mysore Gazette.

P.T.O.

Copy to the Registrar
of the Chief Court of
Mysore for information
and favour of necessary action.

2w 245 5/28/14
J

By Order

Secretary.